

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11cv391**

THIS MATTER is before the court on plaintiff's Motion for Reconsideration. Having considered plaintiff's motion and reviewed the pleadings, and it appearing that plaintiff has provided the court with no plausible legal or factual basis for reconsideration of its affirmation of the Memorandum and Recommendation of Judge Keesler, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Motion for Reconsideration (#26) is **GRANTED**, and having carefully reconsidered the M&R of Judge Keesler in light of the plaintiff's motion, the court reaffirms its earlier Order adopting the recommendation of the magistrate judge.

Signed: January 5, 2012

Max O. Cogburn Jr.
United States District Judge